

ASSEMBLY BILL

No. 2499

Introduced by Assembly Member Conway

February 24, 2012

An act to amend Section 43701 of the Health and Safety Code, relating to vehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 2499, as introduced, Conway. Heavy-duty vehicles: smoke emissions.

Existing law requires the State Air Resources Board (state board) to adopt regulations requiring owners or operators of heavy-duty diesel motor vehicles to perform regular inspections of their vehicles for excessive emissions of smoke. Existing law additionally requires the state board to adopt regulations that require that heavy-duty diesel motor vehicles subject to the above-described requirements utilize emission control equipment and alternative fuels.

This bill would make a technical, nonsubstantive revision to the requirement that the state board adopt regulations that require that heavy-duty diesel motor vehicles subject to the above-described requirements utilize emission control equipment and alternative fuels.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 43701 of the Health and Safety Code is
2 amended to read:

1 43701. (a) Not later than July 15, 1992, the state board, in
2 consultation with the bureau and the review committee established
3 pursuant to subdivision (a) of Section 44021, shall, after a public
4 hearing, adopt regulations that require that owners or operators of
5 heavy-duty diesel motor vehicles perform regular inspections of
6 their vehicles for excessive emissions of smoke. The inspection
7 procedure, the frequency of inspections, the emission standards
8 for smoke, and the actions the vehicle owner or operator is required
9 to take to remedy excessive smoke emissions shall be specified
10 by the state board. Those standards shall be developed in
11 consultation with interested parties. The smoke standards adopted
12 under this subdivision shall not be more stringent than those
13 adopted under Chapter 5 (commencing with Section 44000).

14 (b) Not later than December 15, 1993, the state board shall, in
15 consultation with the State Energy Resources Conservation and
16 Development Commission, and after a public hearing, adopt
17 regulations that require that heavy-duty diesel motor vehicles
18 subject to subdivision (a) utilize emission control equipment and
19 alternative fuels. The state board shall consider, but not be limited
20 to, the use of cleaner burning diesel fuel, or other methods ~~which~~
21 *that* will reduce gaseous and smoke emissions to the greatest extent
22 feasible, taking into consideration the cost of compliance. The
23 regulations shall provide that any significant modification of the
24 engine necessary to meet these requirements shall be made during
25 a regularly scheduled major maintenance or overhaul of the
26 vehicle's engine. If the state board requires the use of alternative
27 fuels, it shall do so only to the extent those fuels are available.

28 (c) The state board shall adopt emissions standards and
29 procedures for the qualification of any equipment used to meet the
30 requirements of subdivision (b), and only qualified equipment
31 shall be used.

32 (d) To the extent permissible under federal law, commencing
33 January 1, 2006, the owner or operator of any commercial motor
34 truck, as defined in Section 410 of the Vehicle Code, with a gross
35 vehicle weight rating (GVWR) greater than 10,000 pounds that
36 enters the state for the purposes of operating in the state shall
37 maintain, and provide upon demand to enforcement authorities,
38 evidence demonstrating that its engine met the federal emission
39 standards applicable to commercial heavy-duty engines for that
40 engine's model-year at the time it was manufactured, pursuant to

1 the protocol and regulations developed and implemented pursuant
2 to subdivision (e).
3 (e) The state board, not later than January 1, 2006, in
4 consultation with the California Highway Patrol, shall develop,
5 adopt, and implement regulations establishing an inspection
6 protocol for determining whether the engine of a truck subject to
7 the requirements of subdivision (d) met the federal emission
8 standard applicable to heavy-duty engines for that engine's
9 model-year at the time it was manufactured.

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